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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,756

Applicant(s)

RAJA, AHSAN I.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the Amendment filed on October 12, 2004, which paper has been placed of record in the file.
2. Claim 9 has been added. Claims 1-9 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1, 2, and 8 have been considered but are not persuasive.

Claims 1, 2, and 8 recited "an electronic transaction system or apparatus" comprising "a bearer bond means", or "an electronic document", or "an electronic online bearer bond" having a monetary value for using to purchase product over the network, equivalently, Boesch discloses an electronic transaction system comprises the customer account stored electronic funds for using to purchase product over the network, thus "the customer account" is considered equivalent to "a bearer bond means", or "an electronic document", or "an electronic online bearer bond" in "an electronic transaction system or apparatus" of present claimed invention. Therefore, examiner maintains the rejections regarding to claims 1, 2, and 8 presented in the previous office action (also see details below).

Applicant's arguments with respect to claims 3-7 and 9 have been considered but are moot in view of the new grounds of rejection.

4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Boesch et al (hereinafter Boesch), U.S. Patent No. 5,897,621.

Regarding to claim 1, Boesch discloses an electronic transaction system, comprising:

bearer bond means for providing an online electronic bearer bond having a monetary value (column 4, lines 15-17, electronic cash);

transaction means for performing monetary transactions with said bearer bond means (column 8, lines 12-48, the server 100 performs transactions with electronic cash of different currencies); and

network means for providing user access to said bearer bond means and said transaction means (column 3, lines 55-65-column 4, line 17 and column 9, lines 40-45, network 50 for providing the customer access to the electronic cash and the server 100 to conduct the transaction).

Regarding to claim 2, Boesch discloses an electronic apparatus adapted for exchanging currency over a network comprising:

an electronic document used for performing transactions (column 1, lines 5-15, the customer pays for a product using electronic cash), wherein said transactions contain data information associated with said electronic document (column 7, lines 40-60, the second set of data includes electronic cash in one currency); and

a database processing and storing said data information to perform said transactions over said network (column 4, lines 8-17, a database including customer account in a first currency and merchant account in a second currency).

Regarding to claim 8, Boesch discloses an electronic transaction system, comprising:

an electronic online bearer bond having a monetary value(column 4, lines 15-17, electronic cash) ;

a database for performing monetary transactions with said electronic online bearer bond (column 4, lines 8-17 and column 8, lines 12-48, the server 100 has a database including customer account in a first currency and merchant account in a second currency, the server 100 performs transactions with electronic cash of different currencies);

a network for providing user access to said electronic online bearer bond and said database (column 3, lines 55-65-column 4, line 17 and column 9, lines 40-45, network 50 for providing the customer access to the electronic cash stored in customer account that is stored in a database of the server 100, and the server 100 to conducts the transaction).

7. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Risafi et al (hereinafter Risafi), U.S. Patent No. 6,473,500.

Regarding to claim 9, Risafi discloses a method of executing an electronic transaction via an electronic transaction system using an interactive electronic bearer document, comprising:

issuing the interactive electronic bearer document that has monetary value and assigning verification information to the issued interactive electronic bearer document (column 6, lines 47-65; issuing a prepaid card has the card identification data, assigned PIN, and initial balance amount); and

executing the electronic transaction using the issued interactive electronic bearer document as a form of payment upon presentation of the assigned verification information (column 19, line 65-column 20, line 17; executing the electronic transaction

using the prepaid card, the card number, PIN, purchase price transmitted to the prepaid debit card center for verifying).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boesch et al (hereinafter Boesch), U.S. Patent No. 5,897,621, in view of Risafi et al (hereinafter Risafi), U.S. Patent No. 6,473,500.

Regarding to claim 3, Boesch discloses a method for creating a universally accepted form of payment using an electronic transaction system, comprising:

selecting an item costing a first value in a first currency (column 7, lines 7-18, the customer pays an amount to the merchant for a selected product using the customer selected currency that is different than the merchant accepted currency);

converting the first value in the first currency into a second value in a second currency (column 8, lines 25-38, the customer selected currency is converted into the merchant accepted currency); and

executing an electronic transaction by using the second value of the second currency as payment for the item (column 8, lines 40-48 and column 14, lines 50-63, the merchant will receive the price in the merchant selected currency).

Boesch does not disclose executing the electronic transaction without requiring disclosure of information related to parties associate with the electronic transaction. However, Risafi discloses executing the electronic transaction without requiring disclosure of information related to parties associate with the electronic transaction (column 19, line 65-column 20, line 17; executing the electronic transaction using the prepaid card, the user inserts the card into the card reader for reading the card number, transmits the PIN associated with the card, the card number, PIN, purchase price transmitted to the prepaid debit card center for verifying, thus the execution of the transaction does not require any information related to the card user, only information related to the prepaid card). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system of Boesch to adopt the teaching of Risafi for the purpose of enhancing the security because purchasing over the Internet using prepaid card in Risafi does not require the card user transmits any information related to the card user.

Regarding to claims 4-6, Boesch discloses wherein a credit card is not used as payment for the item, a bank account is not used as payment for the item, an electronic bearer document is used as payment for the item (column 1, lines 5-15, the electronic cash is used as payment for the item).

Regarding to claim 7, Boesch discloses wherein the first and second currencies are hard currencies (column 4, lines 33-45, e.g. U.S. dollars, French francs).

Conclusion

10. Claims **1-9** are rejected.

11. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Cohen et al. (US 6,505,171) disclose a system and method for handling purchasing transactions over a computer network suing prepaid cards.

Fite et al. (US 6,467,684) disclose a pre-paid card system is provided for paying for purchases over an electronic or computer network.

Messner (US 6,370,514) discloses a method for marketing and redeeming vouchers (meaning gift certificates or coupons) for use in online purchases.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-1113.

13. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
C/o Technology Center 3600
Washington, DC 20231

Or faxed to:

(703) 872-9326 (for formal communication intended for entry),

or

(703) 308-3691 (for informal or draft communication, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal
Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen



December 20, 2004